UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,019	12/16/2005	Johnson Oyama	P18387US2	1263

27045   7590   03/11/2009
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ART UNIT	PAPER NUMBER
2437	

MAIL DATE	DELIVERY MODE
03/11/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _23 February 2009_.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1,2,4-25 and 27-50_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1,2,4-25 and 27-50_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to communications filed on 02/23/2009 and 10/15/2008.

2. In the instant Amendment, Claims 3 and 26 were cancelled; Claims 1, 24, and 47 are
    independent claims. Claims 1-2, 4-25, and 27-50 have been examined and are pending.
    This Action is made FINAL.

Response to Arguments

3. **Claim Rejections - 35 U.S.C. § 101:**

    a. Applicants' arguments, filed on 02/23/2009, with respect to the rejections of claims
        27, 29-30, 32-36, and 42-46 under 35 U.S.C. § 101 have been fully considered and
        are persuasive. The rejections of claims 27, 29-30, 32-36, and 42-50 under 35 U.S.C.
        § 101 are withdrawn.

    b. The rejections of claims 47-50 under 35 U.S.C. § 101 are withdrawn as the claims
        have been amended.

4. **Claim Rejections - 35 U.S.C. § 112, second paragraph:**

    a. The rejections of claims 24-25 under 35 U.S.C. § 112, second paragraph, are
        withdrawn as the claims have been amended.

    b. The rejections of claims 27, 29-30, 32-36, and 42-50 under 35 U.S.C. § 112, second
        paragraph are maintained because the claims have been found invalid as indefinite in
        view of *Biomedino, LLC vs. Waters Technology Corp.*, 490 F.3d 946, 950 (Fed. Cir.
        2007). Applicants' arguments, filed on 10/15/2008, with respect to the structures of

"means for" recited in the aforementioned claims have been fully considered but they are not persuasive.

Applicants' arguments:

"The means for assigning is item 52 in FIG. 8. The means for transmitting is item 55 in FIG. 8. Therefore, the withdrawal of the § 112 rejection is respectfully requested;"

The Examiner disagrees due to the following reasons:

Since there is no further disclosure in the specification as to how the module 52 and item 55 *(described in Fig. 8)* are implemented and what structures of module 52 and item 55 are, the claims are found invalid as indefinite. *"If there is no structure in the specification corresponding to the means-plus-function limitation in the claims, the claims will be found invalid as indefinite."* **Biomedino, LLC** *vs.* **Waters Technology Corp.**, 490 F.3d 946, 950 (Fed. Cir. 2007). Therefore, the nature of the subject matter claimed may reasonably be construed as a mental process since the claim language broadly encompasses non-tangible embodiments.

5.   **Claim Objections:**

a.   Applicants' arguments, filed on 02/23/2009, with respect to the objections of claim 1 and 24 under 35 U.S.C. § 132(a) regarding the limitation *"Intervening AA network nodes"* have been fully considered and are persuasive. The objections of claim 1 and 24 under 35 U.S.C. § 132(a) regarding the limitation *"Intervening AA network nodes"* are withdrawn.

b.   Applicants' arguments, filed on 02/23/2009, with respect to the objections of claim 1

and 24 under 35 U.S.C. § 132(a) regarding the limitation *"the MIPv6-related*

authentication and authorization information unchanged between the mobile node

and the home AA server" been fully considered but they are not persuasive.

Applicants' arguments:

"This basis for this rejection can only be because the Examiner does not know what it

means to transfer information in a procedure that is transparent to the visited

network, as originally recited in claim 1. The Applicant merely amended claim 1 to

make it clearer to the Examiner what was meant by transferring the information

transparent to the visited network. It is common in telecommunications to refer to a

transfer of information as being transparent to intervening nodes if the information is

not changed during the transfer. This is because the basic definition of "transparent"

is, "Capable of transmitting light so that objects or images can be seen as if there

were no intervening material." (The American Heritage Dictionary, Second College

Edition, 1985). Thus, the newly recited phrase is clearly not new matter;" (emphasis

added).

The Examiner disagrees for the following reasons:

As defined in The American Heritage Dictionary, Second College Edition, 1985, the

basic definition of "transparent" is, "Capable of transmitting light so that objects or

images can be seen as if there were no intervening material." It is clear that the

transmission is not visible and is in a manner not evident to the user; this does not

mean that the transmitted information is unchanged. It is common in

telecommunications that an intervening node, such as router, access point, or firewall,

needs to add headers and/or trailers into packets when transferring data; it is noted,

however, that the 'payload' may be unchanged but the packets/data transferred will

be changed between two nodes.

6.   **Claim Rejections - 35 U.S.C. § 102(a):**

a.   Applicant's arguments, filed 02/23/2009, have been fully considered but they are not

persuasive.

Applicants' arguments:

"Faccin teaches neither an end-to-end procedure (since the AAA Client intercepts

and modifies the AAA messages) nor a procedure in which the intervening AAA

network node forward the AAA information <u>unchanged</u>;"

The Examiner disagrees for the following reasons:

Faccin teaches an end-to-end procedure *(page 11-16; sections 7.2 and 7.6;*

information flows described in section 7.2 and 7.6 are known as end-to-end

procedure) in which the intervening AAA network node forward the AAA

information unchanged *(page 14, section 7.5; the AAAv <u>verifies</u> the message is*

coming from a valid AAA Client and then, <u>checks</u> the MIPv6 Feature Vector AVP,

and then <u>sends</u> it to the MN's home AAA server, i.e., AAAv <u>does not make any</u>

<u>modification</u> to the message coming from a valid AAA client; see also pages 16-28,

section 9; the AAAh may <u>exchange many messages</u> with the MN via the AAAv; AAAh

may also compute other keying material according to the keys requested by the MN

and send it to the MN passing through the AAAv; i.e., keys sent to the MN passing

through the AAAv are unchanged).

7. **Double Patenting**:

    a. The Terminal Disclaimer submitted on 10/15/2008 was received. In the mean time
        awaiting official review, the Examiner maintains the Double Patenting rejection for
        the record of prosecution.

Claim Rejections - 35 USC § 112

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

    The specification shall conclude with one or more claims particularly pointing out and distinctly claiming
    the subject matter which the applicant regards as his invention.

9. **Claims 1-2, 4-25, and 27-50 are rejected under 35 U.S.C. 112, second paragraph**, as
    being indefinite for failing to particularly point out and distinctly claim the subject matter
    which applicant regards as the invention.

    - **Regarding claims 1, 24, and 47**; claim 1 recites the limitation *"forwarding by*

    intervening AAA network nodes, the MIPv6-related authentication and authorization

    information unchanged between the mobile node and the home AAA server;" claim 24

    recites the limitation *"intervening AAA network nodes pass the MIPv6-related*

    authentication and authorization information unchanged between the mobile node and the

    home AAA server;" and claim 47 recites the limitation *"intermediate AAA network nodes*

    pass the MIPv6-related authentication and authorization information unchanged between

the mobile node and the home AAA server;" (emphasis added). This is vague as to whether

the MIPv6-related authentication, or authorization, or both remain(s) unchanged between

the mobile node and the home AAA server. For the purpose of applying art, the Examiner

interprets the aforementioned limitation to mean *"both MIPv6-related authentication and*

authorized information remain unchanged between the mobile node and the home AAA

server."

- **Regarding claims 2, 4-23, 25-46, and 48-50**; claims 2, 4-23, 25-46, and 48-50

are dependent on either claim 1, 24, or 47, and therefore inherit the 35 U.S.C 112, second

paragraph issues of the independent claims.

10.   **Claims 27-30, 32-36, and 42-50 are rejected under 35 U.S.C. 112, second paragraph**, as

being indefinite for failing to particularly point out and distinctly claim the subject matter

which applicant regards as the invention.

- **Regarding claims 27, 29-30, 32-36, and 42-50**; claims 27, 29-30, 32-36, and

42-50 have been found in valid as indefinite because the claims recite *"means for"*

languages and there is no structure disclosed in the specification. *"If there is no structure in*

the specification corresponding to the means-plus-function limitation in the claims, the

claims will be found invalid as indefinite." **Biomedino, LLC** vs. **Waters Technology Corp.**,

490 F.3d 946, 950 (Fed. Cir. 2007).

Claim Rejections - 35 USC § 102

11.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in
> this or a foreign country, before the invention thereof by the applicant for a patent.

12.   **Claims 1-2, 4-10, 12-17, 19-25, 27-33, 35-40, and 42-50 are rejected under 35 U.S.C.**

102(a) as being anticipated by Faccin et al., (hereinafter "Faccin"), "Diameter Mobile IPv6

Application, draft-le-aaa-diameter-mobileipv6-6-03.txt," Internet Draft, XP015004098,

published in April 2003.

- **Regarding claim 1**, Faccin discloses a method of authentication and

authorization support for Mobile IP version 6 (MIPv6) *(pages 1-4, sections 1-3; pages 5*

and 11, sections 4.1 and 7.1), comprising:

sending MIPv6-related authentication and authorization information in an

authentication protocol in an end-to-end procedure between a mobile node and a home

Authentication, Authorization and Accounting (AAA) server *(page 1, section 1; in order to*

give access to a mobile node to network resources, the   mobile node needs to be

authenticated and authorized; besides supporting mobile node authentication and

authorization, the AAA infrastructure can also be used for distributing the security keys

needed to support the mobile node roaming; pages 2-3, sections 3.1 and 3.2; page 5,

section 4.1; pages 11-18, sections 7.1-7.3 and 7.6; pages 19-28, sections 9.1-9.2 and 9.5),

wherein the mobile node is operating in a visited network *(pages 2-4, section 3; mobile*

node *mn@xyz.com is operating in a visited domain abc.com)* and the home AAA server is
located in a home network of the mobile node *(pages 2-4, section 3, AAAH server is
located in the home domain xyz.com)*; and

forwarding by intervening AAA network nodes *(pages 2-3, AAAv (AAA server in
the visited network) is known as intervening AAA network node; page 14, section 7.5)*, the
MIPv6-related authentication and authorization information unchanged between the mobile
node and the home AAA server *(pages 10-16, section 7; pages 19-28, section 9;
information flows 1.2-1.9 and 2.2-2.11; the AAAv verifies the message is coming from a
valid AAA Client and then, checks the MIPv6 Feature Vector AVP, and then sends it to the
MN's home AAA server; i.e., AAAv does not make any modification to the message coming
from a valid AAA client; the AAAh may exchange many messages with the MN via the
AAAv; AAAh may also compute other keying material according to the keys requested by
the MN and send it to the MN passing through the AAAv; i.e., keys sent to the MN passing
through the AAAv are unchanged)*.

- **Regarding claim 2**, Faccin discloses the method of claim 1, wherein the
authentication protocol is an extended authentication protocol *(page 2; pages 9-10, sections
6.1 and 6.2)*.

- **Regarding claim 4**, Faccin discloses the method of claim 1, further comprising
transferring the MIPv6-related information from the AAA server in the home network to a
home agent *(page 3; communication (4) exchanged from Home Agent and AAAh Server;
page 11, section 7.2)*.

- **Regarding claim 5**, Faccin discloses the method of claim 1, wherein the MIPv6-related information further comprises MIPv6 configuration information *(page 7, section 4.4; page 17, section 8)*.

- **Regarding claim 6**, Faccin discloses the method of claim 4, wherein the MIPv6-related information is transferred over the AAA infrastructure for immediate or future establishment of a MIPv6 security association between the mobile node and the home agent *(page 5, section 4.2; page 12, section 7.3.1; page 18, section 8.2)*.

- **Regarding claim 7**, Faccin discloses the method of claim 5, wherein the MIPv6-related information is transferred over the AAA infrastructure for establishing a binding for the mobile node in the home agent *(pages 5-6, sections 4.2-4.3)*.

- **Regarding claim 8**, Faccin discloses the method of claim 2, wherein the extended authentication protocol is an extended Extensible Authentication Protocol (EAP) and the MIPv6-related authentication and authorization information is incorporated as additional data in the EAP protocol stack *(page 5, section 4.1; page 10, section 6.2; pages 22-24; sections 9.3-9.5)*.

- **Regarding claim 9**, Faccin discloses the method of claim 8, wherein the MIPv6-related information is transferred in at least one EAP attribute in the EAP protocol stack *(page 5, section 4.1; page 10, section 6.2; pages 22-24; sections 9.3-9.5)*.

- **Regarding claim 10**, Faccin discloses the method of claim 9, wherein the MIPv6- related information is transferred as EAP attributes of the method layer in the EAP protocol stack *(page 5, section 4.1; page 10, section 6.2; pages 22-24; sections 9.3-9.5).*

- **Regarding claim 12**, Faccin discloses the method of claim 9, wherein the MIPv6- related information is transferred in a generic container attribute available for any EAP method *(pages 9-10; sections 6.1-6.3; the IPv6 mobile node should be able to use different authentication methods such as the different EAP types; the EAP data could be sent as an extension to ICMPv6 messages, carried using the protocol defined by the PANA EG or any other protocol).*

- **Regarding claim 13**, Faccin discloses the method of claim 9, wherein the MIPv6- related information is transferred in a method-specific generic container attribute of the method layer in the EAP protocol stack *(pages 9-10; sections 6.1-6.3; pages 14-15; section 7.5-7.6).*

- **Regarding claim 14**, Faccin discloses the method of claim 1, wherein the authentication protocol between the mobile node and an AAA client in the visited network is carried by a protocol selected from the group of the Protocol for carrying Authentication for Network Access (PANA), IEEE 802.1X, and Point-to- Point Protocol (PPP) *(page 5, section 4.1; page 10, section 6.2; the EAP data could be sent as an extension to ICMPv6 messages, carried suing the protocol defined by the PANA WG or any other protocol).*

- **Regarding claim 15**, Faccin discloses the method of claim 1, wherein the authentication protocol is carried by an AAA framework protocol application between a AAA client in the visited network and the AAA server in the home network *(pages 3 and 13-16; sections 7.4 and 7.6)*.

- **Regarding claim 16**, Faccin discloses the method of claim 4, wherein the MIPv6- related information is transferred from the AAA server in the home network to the home agent in an AAA framework protocol application *(pages 3 and 15-16; sections 7.6 and 7.7)*.

- **Regarding claim 17**, Faccin discloses the method of claim 16, wherein the home agent is a local home agent in the visited network and the MIPv6-related information is transferred from the AAA home server to the local home agent via an AAA server in the visited network *(pages 3 and 5-6; sections 4.1-4.2)*.

- **Regarding claim 19**, Faccin discloses the method of claim 4, further comprising assigning, by the home AAA server, a home agent to the mobile node *(pages 26-27; section 9.5.2)*; and

distributing by the home AAA server to the mobile node and the home agent, credential-related data for establishing a security association between the mobile node and the home agent *(pages 24-28; sections 9.5.1-9.5.2 and 9.6)*.

- **Regarding claim 20**, Faccin discloses the method of claim 1, further comprising assigning a home address to the mobile node at the AAA home network server *(pages 26-27; section 9.5.2)*.

- **Regarding claim 21**, Faccin discloses the method of claim 20, further comprising configuring the home address of the mobile node using roundtrips of a selected EAP procedure *(pages 5-6, sections 4.1-4.2; page 15, section 7.6)*.

- **Regarding claim 22**, Faccin discloses the method of claim 19, further comprising

    building, at the mobile node, a home address for the mobile node using at least a portion of the address of its assigned home agent *(page 12, section 7.3.1; pages 15-16, section 7.6; page 20-21, section 9.2.1)*; and

    transferring the home address of the mobile node from the mobile node to the AAA home network server using around trip of a selected EAP procedure *(page 12, section 7.3.1; page 2-21, section 9.2.1)*.

- **Regarding claim 23**, Faccin discloses the method of claim 20, further comprising transferring the home address of the mobile node from the AAA home network server to a home agent using an AAA framework protocol application *(pages 24-27; section 9.5)*.

• **Regarding claim 24**, Faccin discloses a system for authentication and
authorization support for MIPv6 *(pages 1-4, sections 1-3; pages 5 and 11, sections 4.1 and
7.1)*, comprising:

a mobile node operating in a visited network *(pages 2-4, section 3; mobile node
mn@xyz.com is operating in a visited domain abc.com)*;

a home Authentication, Authorization and Accounting (AAA) server in a home,
network of the mobile node *(pages 2-4, section 3, AAAH server is located in the home
domain xyz.com)*; and

intervening AAA network nodes *(pages 2-3, AAAv (AAA server in the visited
network) is known as intervening AAA network node; page 14, section 7.5)* for transferring,
between the mobile node and the home AAA serve, MIPv6-related authentication and
authorization information in an authentication protocol in an end-to-end procedure
transparent to the visited network *(pages 2-3, section 3; pages 10-16, section 7;
information flow 1.2-1.9; pages 19-28, section 9; information flow 2.2-2.11)*;

wherein the intervening AAA network nodes pass the MIPv6-related
authentication and authorization information unchanged between the mobile node and the
home AAA server *(pages 10-16, section 7; pages 19-28, section 9; information flows 1.2-
1.9 and 2.2-2.11; the AAAv verifies the message is coming from a valid AAA Client and
then, checks the MIPv6 Feature Vector AVP, and then sends it to the MN's home AAA
server; i.e., AAAv does not make any modification to the message coming from a valid AAA
client; the AAAh may exchange many messages with the MN via the AAAv; AAAh may also
compute other keying material according to the keys requested by the MN and send it to the*

MN passing through the AAAv; i.e., keys sent to the MN passing through the AAAv are

unchanged).

- **Regarding claim 25**, claim 25 is similar in scope to claim 2, and is therefore rejected under similar rationale.

- **Regarding claims 27-33**, claims 27-33 are similar in scope to claims 4-10, respectively, and are therefore rejected under similar rationale.

- **Regarding claims 35-40**, claims 35-40 are similar in scope to claims 12-17, respectively, and are therefore rejected under similar rationale.

- **Regarding claims 42-46**, claims 42-46 are similar in scope to claims 19-23, respectively, and are therefore rejected under similar rationale.

- **Regarding claim 47**, Faccin discloses an Authentication, Authorization and Accounting (AAA) home network server for authentication and authorization support for Mobile IP version 6(MIPv6) *(pages 1-4, sections 1-3; pages 5 and 11, sections 4.1 and 7.1)*, comprising:

         a processor for controlling the operations of the server *(pages 1-2; AAAv server and AAAh server)*;

         means for assigning a home agent to a mobile node *(pages 5-6, section 4.2; page 17, section 8.1; pages 26-27; section 9.5.2)*;

means for transmitting to the mobile node and the home agent, credential-related data for establishing a security association between the mobile node and the home agent *(pages 20-27, section 9.2.1-9.2.2, and 9.3-9.5)*; and

means for sending and receiving MIPv6-related authentication and authorization information between the AAA home network server and the mobile node in the visited network in an end-to-end procedure *(pages 2-4, section 3; pages 11-18, sections 7.1-7.3 and 7.6; pages 19-28, sections 9.1-9.2 and 9.5; pages 10-16, section 7; pages 19-28, section 9; information flows 1.2-1.9 and 2.2-2.11 allow a mobile node mn@xyz.com operating in a visited domain abc.com to perform authentication with the AAA home network AAAh)*, wherein intermediate AAA network nodes pass the MIPv6-related authentication and authorization information unchanged between the mobile node and the home AAA server *(pages 10-16, section 7; pages 19-28, section 9; information flows 1.2-1.9 and 2.2-2.11; the AAAv verifies the message is coming from a valid AAA Client and then, checks the MIPv6 Feature Vector AVP, and then sends it to the MN's home AAA server; i.e., AAAv does not make any modification to the message coming from a valid AAA client; the AAAh may exchange many messages with the MN via the AAAv; AAAh may also compute other keying material according to the keys requested by the MN and send it to the MN passing through the AAAv; i.e., keys sent to the MN passing through the AAAv are unchanged)*.

- **Regarding claim 48**, Faccin discloses the server of claim 47, further comprising means for assigning a home address to the mobile node *(pages 26-27; section 9.5.2)*.

- **Regarding claim 49**, Faccin discloses the server of claim 48, further comprising means for configuring the home address of the mobile node using roundtrips of a selected Extensible Authentication Protocol (EAP) procedure *(pages 5-6, sections 4.1-4.2; page 15, section 7.6)*.

- **Regarding claim 50**, Faccin discloses the server of claim 48, further comprising means for transferring the home address of the mobile node to the home agent using an AAA framework protocol application *(page 12, section 7.3.1; page 2-21, section 9.2.1)*.

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

14. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

15.   **Claims 11, 18, 34, and 41 are rejected under 35 U.S.C. 103(a)** as being unpatentable over

Faccin, as applied to claims 1 and 24 above, and further in view of Akhtar et al., (hereinafter

"Akhtar"), U.S. Patent No. 7,079,499, filed on September 07, 2000.

- **Regarding claim 11,** Faccin discloses the method of claim 10.

Faccin does not explicitly disclose the EAP attributes are EAP Type-Length-

Value (TLV) attributes.

However, in an analogous art, Akhtar discloses a mobility architecture

framework, wherein the EAP attributes are EAP Type-Length-Value (TLV) attributes

(Akhtar: col. 88, lines 4-10).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to combine the teaching of Akhtar with the method and

system of Faccin, wherein the EAP attributes are EAP Type-Length-Value (TLV) attributes

to provide a communication architecture for enabling IP-based mobile communications

(Akhtar: col. 1, lines 56-58).

- **Regarding claim 18,** Faccin discloses the method of claim 15.

Faccin does not disclose the AAA framework protocol application is an

application of a protocol selected from the group of Diameter and RADIUS.

However, in an analogous art, Akhtar discloses a mobility architecture

framework, wherein the AAA framework protocol application is an application of a

protocol selected from the group of Diameter and RADIUS *(Akhtar: col. 26, lines 1-7; col.

27, lines 1-5; col. 31, lines 36-42)*.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Akhtar with the method and system of Faccin, wherein the AAA framework protocol application is an application of a protocol selected from the group of Diameter and RADIUS to provide a communication architecture for enabling IP-based mobile communications *(Akhtar: col. 1, lines 56-58)*.

- **Regarding claim 34**, claim 34 is similar in scope to claim 11, and is therefore rejected under similar rationale.

- **Regarding claim 41**, claim 41 is similar in scope to claim 18, and is therefore rejected under similar rationale.

Conclusion

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

advisory action. In no event, however, will the statutory period for reply expire later than
SIX MONTHS from the mailing date of this final action.

17.   Any inquiry concerning this communication or earlier communications from the examiner
should be directed to Luu Pham whose telephone number is 571-270-5002. The examiner
can normally be reached on Monday through Friday, 7:30 AM - 5:00 PM (EST).

           If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Emmanuel L. Moise can be reached on 571-272-3865. The fax phone number
for the organization where this application or proceeding is assigned is 571-273-8300.

           Information regarding the status of an application may be obtained from the Patent
Application Information Retrieval (PAIR) system. Status information for published
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Representative or access to the automated information system, call 800-786-9199 (IN USA
OR CANADA) or 571-272-1000.

/Luu Pham/
Examiner, Art Unit 2437

/Emmanuel L. Moise/
Supervisory Patent Examiner, Art Unit 2437